

### **REMARKS**

Applicant appreciates the Examiner's attention to this application.

Claims 1-23 and 42-45 are currently pending in the application.

#### **1. Affirmation of Provisional Election**

Applicant affirms the provisional election without traverse to prosecute the invention of Group 1, original Claims 1-23 and 42. Applicant cancels Claims 24-41 as being drawn to a non-elected invention.

#### **2. Brief Description of Amendments to Claims**

Independent Claim 1 is amended to include the subject matter of original dependent Claim 7, which the Office Action indicated to differentiate over the prior art of record, but to remove subject matter that the Office action indicated not to be considered to contribute to patentability.

Claim 23 is rewritten in independent form to include some of the subject matter of original independent Claim 1, but not the subject matter that the Office action indicated not to be considered to contribute to patentability of Claim 23.

New independent Claim 43 is the subject matter of original dependent Claim 7, rewritten in independent form to include all of the limitations of the base claim and any intervening claim, the subject matter of which the Office Action stated would be patentable if rewritten in independent form.

New independent Claim 44 is the subject matter of original dependent Claim 23, rewritten in independent form to include all of the limitations of the base claim and any intervening claim, the subject matter of which the Office Action stated would be patentable if rewritten in independent form.

Regarding the dependent claims:

Claims 2-5 are amended to depend from new independent Claim 43;

Claim 6 is original;

Claim 7 is amended to depend from independent Claim 23;

Claim 8 is amended to depend from Claims 1 or 7;

Claim 9 is original;

Claim 10 is amended to depend from new independent Claims 43 or 44;

Claim 11 is original;

Claim 12 is amended to correct a minor technical error in dependency language;

Claim 13 is original;

Claim 14 is amended to correctly depend from Claim 13 to provide proper antecedent basis for the claim;

Claims 15-19 are original;

Claims 20-22 are amended to depend from new independent Claims 43 or 44;

Claims 24-41 are canceled as being drawn to a non-elected invention;

Claim 42 is amended to depend from new independent Claims 43 or 44; and

Claim 45 is new, similar to original Claim 7, to depend from new independent Claim 44.

### 3. Discussion

Applicant has considered the remarks in the Office Action mailed January 12, 2006 and the references of record.

The Office Action stated that the originally-presented dependent Claims 7-10 and 23 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.

Applicant has amended the claims in the application directed to the subject matter of Claims 7 and 23. None of the cited references of record teach or suggest the combination of the claims as currently presented in this amendment.

It is respectfully urged that Claims 1-23 and 42-45 are patentable over the prior art of record, and such notice of allowance is now respectfully requested. If a telephone conference would expedite the prosecution of this application, the Applicant's representative can be normally reached at the number below.

Application No.: 10/826,615  
Date of Amendment: 05/12/2006  
Date of Office Action: 01/12/2006

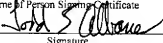
4. Authorization to Charge Deposit Account

The Commissioner is hereby authorized to charge any additional fees relating to this paper or credit any overpayment to Deposit Account No.50-3037. A duplicate copy of this fee authorization sheet is enclosed.


Date: May 12, 2006

**CERTIFICATE OF SERVICE**

I hereby certify that this correspondence is being electronically transmitted to the U.S. Patent and Trademark Office MAIL STOP AMENDMENTS, COMMISSIONER OF PATENTS, P. O. BOX 1450, ALEXANDRIA, VA 22313-1450 on:

\_\_\_\_\_  
May 12, 2006  
Date of Deposit  
\_\_\_\_\_  
Todd E. Albanesi  
Printed Name of Person Signing Certificate  
\_\_\_\_\_  
  
Signature  
\_\_\_\_\_  
May 12, 2006  
Date of Signature

Respectfully submitted,

  
\_\_\_\_\_  
Todd E. Albanesi, Reg. No. 36,426  
CRUTSINGER & BOOTH, LLC  
1601 Elm Street, Suite 1950  
Dallas, Texas 75201-4744  
(214) 220-0444; Fax (214) 220-0445

Attorneys for Applicant

u:\web\gimty\clients\ba\16701-12-06QA.rpt